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Remarks/ Arguments

This amendment is in response to the Office Action of May 2, 2006.

Applicants request a three- month extension of time. The appropriate fee is enclosed.

The Examiner is thanked for reopening prosecution in this matter and for entering applicant's submission of 3/08/2006.

In the present amendment, please cancel all of the old claims 1-26 and add new claim 27. New claim 27 is a complete re-write of old claim 11. It also contains a number of new limitations and elements.

Support for all elements of claim 27 can be found in the specification, as discussed below. First of all, it should be understood that the present invention has several different applications. Not only does it serve as an automatic road-use fee collection method and system (such as for bridge and tunnel tolls), but it can also be used to collect parking fees. See specification page 4, lines 9-10.

Moreover, the invention can also be used to monitor and verify information about the vehicle and the vehicle's owner, such as vehicle title and registration information, etc. See page 4, line 14 and page 5, line 10. This information could, for example, be used to verify whether the vehicle has been stolen or has been properly registered. Because the invention has multiple applications, new claim 27 is being presented. It is also believed that the title of the invention should be changed for purposes of clarity.

Another important aspect of the invention is that all registered vehicles in the United States, Canada and Mexico can be serviced by the invention, without the need for the vehicle owner to subscribe to a fee collection system. See page 3, last 3 lines and page 5, lines 8-9.

Another feature is that a passive identification device is used, which is permanently implanted or factory-installed in the vehicle. See page 6, lines 1 and 14. It is not necessary for the vehicle owner to purchase a transponder or similar active device. This provides protection against theft of the device.

Regarding the term "signaling device" as used in element (a) of claim 27, this is supported in original claim 2 of the application, namely at page 8, line 2. Element (j) of claim

27 is supported on page 4, next-to-last paragraph of the specification. Element (I) of claim 27 is supported on page 5, last paragraph of the specification. The remaining elements are supported at various places from pages 3 to 8 of the specification.

In paragraph 3 of the Office Action, the Examiner rejected claims 11, 15, 16, 18, 22 and 23 under 35 U.S.C. §103(a) as being unpatentable over the combination of three prior patents, namely Urbish, Slavin and Leitner. Applicant submits that, in light of new claim 27, which includes new limitations, the Examiner's rejection is now moot, and that claim 27 is allowable. In particular, it is submitted that none of the patents cited by the Examiner, either alone or in combination, discloses, suggests or would motivate one of ordinary skill in the art to produce the present invention as claimed in new claim 27. Accordingly, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

PTO Form 2038 is enclosed herewith authorizing payment of the appropriate extension fee. Should any further fees or extensions be necessary in order to maintain this application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

If there are still unresolved issues requiring adverse action, it is requested that the Examiner contact applicant's attorney so that appropriate arrangements can be made for discussing and perhaps resolving the same.

Respectfully submitted,

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